

SEVENTH DAY

(Continued)

(Thursday, February 8, 1934)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 8, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 6. The following have been appointed on the part of the Senate: Senators Oneal, Poage, Purl, Sanderford, and Murphy.

Respectfully,
BOB BARKER,
Secretary of the Senate.

GRANTING JACK WILLIAMS PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 16, Granting Jack Williams permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The committee having recommended the adoption of the resolution.

Mr. Camp offered the following committee amendment to the resolution:

Amend the resolving clause in House Concurrent Resolution No. 16 by changing the suit from Milam County, Texas, to Travis County, Texas.

The amendment was adopted.

The resolution as amended was adopted.

GRANTING PERMISSION TO LEAVE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 10, Granting Hon. Lee Wallace permission to leave the State.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That Hon. Lee Wallace, Judge of the Thirty-eighth Judicial District of Texas, be, and he is hereby, granted permission to be absent from the State of Texas at

such intervals and for such time as he sees fit and desires while his courts are in vacation, during 1934 and 1935.

The resolution was read second time, and was adopted.

GRANTING N. W. BUCHANAN PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 14, Granting N. W. Buchanan permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

RELATIVE TO CERTAIN APPROPRIATION FOR TEXAS NATIONAL GUARD

Mr. Coombes offered the following resolution:

H. C. R. No. 17, Relative to certain appropriation for Texas National Guard.

Whereas, By Chapter 166, of the General Laws of the State of Texas, Acts of the Forty-third Legislature, Regular Session, 1933, same being House Bill No. 167 of said Session of said Legislature, there was appropriated the sum of \$12,690 for the years ending August 31, 1934, and August 31, 1935, which appropriation was for "monthly pro rata to each company, troop, and battery for actual necessary expenses, lights, water, stamps, and stationery"; and

Whereas, By the phrase "company, troop, and battery," it was the intention of the Legislature to indicate that such appropriation was for, and was to be paid to each separate Federally recognized unit of the Texas National Guard as same exists from month to month during the period of time for which such appropriation was made; now, therefore, be it

Resolved by the House of Representatives, the Texas Senate concurring, That such phrase "company, troop, and battery," shall be construed to mean and include "company, troop, and battery, band, or other detachment, including each separate Federally recognized unit of the Texas National Guard."

The resolution was read second time, and was adopted.

RELATIVE TO ADMISSION TO HALL

Mr. Beck moved that the Speaker appoint a committee to consider the matter of admittance to the Hall of the House, and that the committee make a report to the House as to how the House Rule, relative to admittance to the Hall, shall be interpreted.

Mr. Metcalfe moved that the Committee on Rules be instructed to draw up a Rule in regard to the matter.

The motion of Mr. Metcalfe prevailed.

HOUSE BILL NO. 13 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business on passage to engrossment,

H. B. No. 13, A bill to be entitled "An Act providing for the issuance of State relief bonds, to be designated as 'Texas Relief Bonds—Second Series,' in the sum of ten million dollars (\$10,000,000), under Section 51-a, Article III, of the Constitution of the State of Texas; providing the terms and the denominations and interest of such bonds, and the manner of signing and registering same, and the sources from which said bonds and the interest thereon shall be paid, and exempting same from taxation; etc.":

The bill having heretofore been read second time.

Mrs. Hughes offered the following amendment to the bill:

Amend House Bill No. 13 by striking out Sections 10 and 11, and substitute in lieu thereof the following:

"Section 10. The funds derived from the sale of the bonds herein provided for shall be administered by the same agencies, in the same manner, and for the same purposes, as provided for in Chapter 37, Acts of the First Called Session of the Forty-third Legislature, known as Senate Bill No. 46 of said First Called Session"; and renumber the succeeding sections accordingly.

Signed—Hughes, Calvert, Wells, Alexander, Metcalfe, Shannon, Head, Wagstaff, Magee, Hankamer, Aikin, Golson, Thomas, Stubbeman, Cathey, Hunt, Russell, Hunter, Van Zandt, Atchison, Lemens, Rollins, Merritt, Caven, Hicks, Bergman, Hodges, Canon, Barrett, Harris, Adamson,

Parkhouse, Burns, Daniel, Munson, Fain, Vaughan, Roark, Steward, Winingham, Mitcham, Cowley, Leonard, Turlington, Kyle of Hays, Ford, Roberts, Dean, Ratliff, Townsend, Jones of Atascosa, Tarwater, Palmer, Davidson, Hill, Jones of Runnels, Shults, Lindsey, Tennyson, Clayton, Graves.

Question—Shall the amendment by Mrs. Hughes be adopted?

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 7, Relative to Texas Press Association "Good Will Tour."

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 8, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 11, Granting the district judges of each and all of the several criminal district courts permission to be absent at certain intervals during 1934 and 1935.

S. C. R. No. 12, Relating to payment of appropriation to Valley Conservation and Reclamation District.

Respectfully,

BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
Austin, Texas, February 8, 1934.

To the Forty-third Legislature in Second Called Session:

At the request of Representatives Sarah T. Hughes and Charles H. Tennyson, I am submitting herewith, for your consideration, a bill to be entitled "An Act making an appropriation to pay deficiencies for interest on bonds of the State of Texas, held by Permanent School Fund, Permanent Lunatic

Asylum Fund, Permanent Blind Institute Fund, Permanent Deaf and Dumb Institute Fund, and Permanent Orphans Home Fund of the State of Texas; authorizing payment of interest on the taking effect of this Act."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor.

RECESS

On motion of Mr. Anderson, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 13 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 13, providing for the issuance of certain State bonds; the bill having heretofore been read second time, with amendment by Mrs. Hughes, pending.

Mr. McKee offered the following amendment to the amendment:

Amend pending amendment to House Bill No. 13 by adding a new paragraph, to be known as Paragraph 2, of Section 10, which shall hereafter read as follows:

"The Chairman of the Industrial Accident Board shall be replaced by a new member, to be chosen by a majority vote at a regular meeting of the Commission."

Mr. Coombes raised a point of order on further consideration of the amendment by Mr. McKee, on the ground that the amendment to the amendment seeks to amend an existing law, and is not properly drawn for that purpose.

The Speaker sustained the point of order.

Mr. McKee moved to table the pending amendment by Mrs. Hughes. The motion to table was lost.

Mr. Long offered the following substitute for the amendment:

Substitute for amendment to House Bill No. 13 by striking out the first sentence of Subsection c, and inserting the following:

"Texas Relief Commission shall hereafter be formed in the following manner: Three members shall be ap-

pointed by the Lieutenant Governor, three to be appointed by the Speaker of the House of Representatives, one to be appointed by the Governor, and the Comptroller of Public Accounts shall be an ex-officio member."

Mr. Calvert moved to table the substitute amendment.

The motion to table prevailed.

Question then recurring on the amendment by Mrs. Hughes, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—79

Adamson.	Kyle of Hays.
Aikin.	Lange.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson.	Magee.
Atchison.	McDougald.
Barrett.	Merritt.
Bergman.	Metcalf.
Burns.	Moore.
Calvert.	Munson.
Camp.	Parkhouse.
Canon.	Patterson.
Caven.	Ratliff.
Chastain.	Reed of Dallas.
Clayton.	Renfro.
Coombes.	Riddle.
Cowley.	Roark.
Crossley.	Roberts.
Daniel.	Rollins.
Dean.	Savage.
Duvall.	Scarborough.
Fain.	Scott.
Ford.	Shannon.
Glass.	Shults.
Golson.	Steward.
Goodman.	Stinson.
Greathouse.	Stovall.
Hankamer.	Stubbeman.
Harris.	Tarwater.
Head.	Tennyson.
Hicks.	Thomas.
Hodges.	Tillery.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hunter.	Vaughan.
James.	Wagstaff.
Johnson	Walker.
of Dimmit.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.

Nays—54

Baker.	Devall.
Barron.	Dunagan.
Beck.	Dwyer.
Bourne.	Engelhard.
Cathey.	Fuchs.
Colson.	Good.
Davidson.	Harman.

Hartzog.	McKee.
Hill.	Mitcham.
Holekamp.	Morrison.
Holland.	Morse.
Holloway.	Nicholson.
Hoskins.	Palmer.
Huddleston.	Pope.
Hyder.	Puryear.
Jackson.	Ramsey.
Jefferson.	Ray.
Jones of Shelby.	Reader.
Kayton.	Reed of Bowie.
Kyle of Palo Pinto.	Rogers of Hunt.
Laird.	Rogers
Latham.	of Ochiltree.
Long.	Russell.
Lotief.	Stanfield.
Mackay.	Townsend.
Mathis.	Weinert.
McCullough.	Young.
McGregor.	

Absent

Bradley.	Hester.
Butler.	Johnson
Celaya.	of Anderson.
Dunlap.	Lemens.
Fisher.	Pavlica.
Griffith.	Smith.
Harrison.	

Absent—Excused

Bedford.	Moffett.
Graves.	

Mrs. Hughes moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Latham offered the following amendment to the bill:

Amend House Bill No. 13 by adding thereto a new section, after Section 15, to be numbered Section 15-a, to read as follows:

"The Texas Relief Commission is hereby authorized to use, not to exceed four and one-half per cent (4½%), or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds for the hospitalization of indigent tubercular patients at recognized established tuberculosis sanatoriums in the State to the extent to which the State Tuberculosis Sanatorium is unable to receive and care for such patients because of exhaustion of its facilities; provided, that the applications and requirements for admission and treatment to such established and recognized sanatoriums shall conform to the rules and regulations at present established by law; and the Superintendent of the State Tuberculosis Sanatorium, subject to the approval of the State Board of

Control, is authorized, empowered, and directed to select and designate sanatoriums, existing at the time of the passage of this Act, which are qualified to receive and treat such patients, to enter into contracts with such sanatoriums for the care of State patients; and to supervise the management of such sanatoriums with which such contracts have been made; provided further, that bills for such hospitalization shall not exceed the sum of three dollars (\$3) per day per patient, which sum shall cover and include board, room, laundry, medicines, and medical attention."

The amendment was adopted.

Mr. Camp offered the following amendment to the bill:

Amend House Bill No. 13, page 4, by striking out the word "two," in lines 18 and 25, and inserting in lieu thereof the word "one."

On motion of Mr. Long, the amendment was tabled.

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 13 by substituting the word "nor" for the word "not," appearing in line 18, on page 16, thereof.

The amendment was adopted.

Question—Shall House Bill No. 13 pass to engrossment?

INVITATION TO VISIT LONGHORN CAVERN

The following communication was ordered printed in the Journal:

Austin, Texas, February 8, 1934.

To the Members of the Legislature now in session:

You are cordially invited and urged to accept this, an invitation of the Longhorn Cavern Company, and the Texas State Parks Board, to visit and inspect the Longhorn Cavern, Saturday afternoon, February 10; leaving Austin about 1 p. m. or as soon as it suits your convenience.

After the inspection trip we will be the guests of the Chambers of Commerce of Burnet and Marble Falls for a barbecue at 6:30 p. m. An entertainment program will be provided after that hour until the guests are ready to leave. You are expected to bring your families and have an enjoyable trip.

The Cavern is located about half-way between Burnet and Marble Falls, and about halfway between Highway 66 and the Hamilton Dam. You go

out Highway 29 to Burnet, turn south on 66, nine miles, and then to the right at a big Cavern sign, and follow the road through the ranch to the Cavern.

Hoping to have the entire Membership of the Legislature on this occasion, we are,

Yours very sincerely,

D. E. COLP,

Chairman, Texas State Parks Board.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 10, Granting permission to Hon. Lee Wallace to leave the State.

INVITING THE HON. DELOSS WALKER TO ADDRESS THE LEGISLATURE

Mr. Griffith offered the following resolution:

H. C. R. No. 19, Inviting the Hon. DeLoss Walker to address the Legislature.

Whereas, The Hon. DeLoss Walker, director of the National Recovery Campaign, and an outstanding business man of this Nation, is now appearing in the different cities of this Nation, sponsored by the National Exchange Club, discussing with the people the present financial situation of our country, and the need for cheerful co-operation and faith in America and in ourselves, in order to secure the benefits of the Recovery Program sponsored by the President; and

Whereas, Mr. Walker is now in the City of Austin; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the House and Senate meet in a joint session in the House, Friday, February 9, 1934, at 11:10 a. m., and that Mr. Walker be invited to address us at that time.

GRIFFITH,
VAN ZANDT.

The resolution was read second time, and was adopted.

CONFERENCE COMMITTEE RE- PORT ON HOUSE BILL NO. 6

Mr. Morse submitted the following conference committee report on House Bill No. 6:

Committee Room,
Austin, Texas, February 8, 1934.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives:

Sirs: We, your conference committee, appointed to adjust the differences between the House and the Senate on House Bill No. 6, beg leave to submit the following report:

We have had House Bill No. 6 under consideration, and recommend the adoption of the attached bill, as rewritten by your conference committee:

"H. B. No. 6,

A BILL

To Be Entitled

An Act amending Section 3, of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding current year, may, in lieu of filing an application, present license receipt and transfer receipts; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government, State of Texas, county, or city thereof; providing for exemption of payment of license fees on said vehicles and school buses; providing for registration of new vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining 'motor vehicle registration year'; providing that application for license shall be made not later than April 1 of each year; amending Section 4, Chapter 88, General Laws of the Second Called Session, Forty-first Legislature; providing for proportionate payment for registration for a period less than one year, beginning with the motor registration year of 1934; providing the motor vehicle registration fees paid on or before January 31, 1934, shall be good to and including March 31, 1935; providing that all fees paid after January 31, 1934, and on or before April 1, 1934, shall be without penalty, and the license shall relate

back to January 1, 1934, and shall be good to and including March 31, 1935; providing that tax collectors and other officials who have collected or hold penalties on registration or license fees paid after January 31, 1934, are authorized and instructed to refund same if application therefor and refund is made by March 15, 1934, and requiring such officials to make reports of such refunds; providing that compliance by any person entitled to the benefits of this Act with its terms may be proved as a defense to prosecution for any act committed on or before April 1, 1934, which would otherwise be unlawful under Sections 14-b, 14-d, or 14-e, of Chapter 88, General Laws of the Second Called Session, Forty-first Legislature; repealing from and after April 1, 1934, Sections 14-a, 14-b, 14-c, 14-d, and 14-e, of Chapter 88, of the General Laws of the Second Called Session, Forty-first Legislature; and saving all convictions and prosecutions for violations of said sections committed before April 1, 1934, in full force and effect; making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle, or truck-tractor on public highways during any month of motor vehicle registration year without having attached to and displayed thereon two license number plates, on rear and on front, lawfully assigned for said vehicle for that current year; providing this provision shall not apply to dealers operating vehicles under present provisions of the law; providing any person agreeing with a commissioners court, or any officer or agent of any county, that he will register any motor vehicle in said county in consideration of the use of funds so collected for the purchase of any property or in consideration of any other act by said court or county officer, shall be guilty of bribery and subject to the same penalties as now provided by law for the offense of bribery; providing the registration of each vehicle shall constitute a separate offense, and the agreement and/or conspiracy to register shall constitute a separate offense; providing that persons, firms, or corporations making such agreement may be restrained

by injunction; and making it a misdemeanor for any person to operate a road-tractor, motorcycle, trailer, or semi-trailer on the public highways during any month of a motor vehicle registration year without having attached to and displayed on rear thereof a license number plate lawfully assigned therefor for that current year; and making it a misdemeanor for any person to operate any motor vehicle trailer or semi-trailer on the highways on or after April 1 of any motor vehicle registration year with license plate or plates for any preceding year attached or displayed; and providing a fine in any sums not exceeding two hundred dollars (\$200) for conviction of any one of such misdemeanors, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 3, of Chapter 88, General Laws, Second Called Session, Forty-first Legislature, be amended so as hereafter to read:

"Application for the registration of a vehicle to be registered hereunder shall be made on a form furnished by the department, each such application shall be signed by the owner of the vehicle, and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. Said description, in case of a new motor vehicle, shall include: The trade name of the vehicle; the year model; the style, type of body, and the weight, if a passenger car, or the net carrying capacity and gross weight, if a commercial motor vehicle; the motor number; the date of sale by manufacturer or dealer to the applicant. The application shall contain such other information as may be required by the department. It is expressly provided, however, that the owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application as hereinbefore directed, present the license receipt and transfer receipts, if any, issued for the registration or transfer of the vehicle for the preceding calendar year, and said receipt or receipts shall be accepted by the county tax collector as an application for the renewal of the registration of the vehicle, provided, said

receipts show that the applicant is the rightful owner thereof. Provided, however, that should an owner or a claimed owner of a motor vehicle or automobile offer to register same, but has lost or misplaced the registration receipt or transfer, then, upon his furnishing satisfactory evidence to the tax collector by affidavit or otherwise that he is the real owner of same, then shall it become the duty of the tax collector to issue him license therefor. It shall be the duty of the tax collector to date each registration receipt issued for a vehicle the same date that application is made for registration of such vehicles. Owners of motor vehicles, trailers, and semi-trailers, which are the property of, and used exclusively in the service of the United States Government, the State of Texas, or any county or city thereof, shall apply annually to register all such vehicles, but shall not be required to pay the registration fees herein prescribed, provided that affidavit is made at the time of registration by a person who has the proper authority that such vehicles are the property of, and used exclusively in, the service of the United States Government, the State of Texas, or county, or city thereof. All school buses owned by any school district and operated under the supervision of any public school board in Texas, used exclusively for the transportation of children to and from school, shall be exempt from registration fees. Application shall be made for the registration of a new vehicle for the unexpired portion of the year in which it is acquired before it is operated on the public highways; except that a new vehicle may be operated temporarily by a dealer under a dealer's license number or by its purchaser under a special dealer's cardboard number as provided in Chapter 211, General and Special Laws of the Regular Session of the Fortieth Legislature. The year for the purpose of registration of motor vehicles shall be April 1 to March 31 (both inclusive) of the next succeeding calendar year, and may be referred to as the 'Motor Vehicle Registration Year,' and current year where used in the statutes relating to payment of registration fees shall mean that motor vehicle registration year. Application for the renewal of registration of a vehicle and for

each chauffeur's license for any motor vehicle registration year shall be made not later than April 1 of such year."

Sec. 2. That Section 4, Chapter 88, General Laws of Second Called Session, Forty-first Legislature, be amended so as hereafter to read:

"Each application filed hereunder for registration or for chauffeur's license during April shall be accompanied by the full amount of the annual fee if the vehicle was operated on the public highways or streets during any part of April of that year, each application for re-registration filed during May or any subsequent month of that motor vehicle registration year, shall be accompanied by affidavit that such vehicle has not been previously operated upon the highways of this State during any portion of the current year, and shall be accompanied by eleven-twelfths, ten-twelfths, nine-twelfths, eight-twelfths, seven-twelfths, six-twelfths, five-twelfths, four-twelfths, three-twelfths, two-twelfths, or one-twelfth, respectively, of the annual fee. This section shall be in force beginning with the motor registration year 1934, and all succeeding years."

Sec. 3. Every motor vehicle registration or license fee paid and chauffeur's license fee paid on or before January 31, 1934, for the calendar year, shall be good and valid until and including March 31, 1935, as if originally issued for such term, and all 1934 license plates may lawfully be used for such term.

Every registration fee or license fee paid after January 31, 1934, and on or before April 1, 1934, shall be the full fee for a year as provided by statute, but without penalty; and the license issued upon such payment shall relate back to January 1, 1934, and be good to and including March 31, 1935.

All tax collectors and other officials who may have collected or may hold penalties on registration or license fees paid after January 31, 1934, are hereby authorized and instructed to refund to the person paying said penalty the amount of said penalty, providing that application must be made for and said refunds made by March 15, 1934. Each collector or other official making such refund shall make, with his reports now required by law

on the collection of registration and license fees, a detailed statement to become part of such report, showing the following: Name of person paying penalty, date of payment, amount of payment, name of person to whom refund was made, date of refund, amount of refund.

The compliance by any person entitled to the benefits of this Act with the terms hereof when pleaded and proved to the satisfaction of the court or jury trying the case, shall be a defense to any criminal prosecution for any act committed on or before April 1, 1934, which otherwise would be unlawful under Section 14-b, Section 14-d, or Section 14-e, of Chapter 88, of the General Laws of the Second Called Session, Forty-first Legislature.

Sec. 4. From and after April 1, 1934, Section 14-a, Section 14-b, Section 14-c, Section 14-d, and Section 14-e, of Chapter 88, of the General Laws of the Second Called Session, Forty-first Legislature, shall be, and are hereby, repealed; provided, that all convictions and prosecutions for violations of said sections committed before April 1, 1934, are hereby saved in full force and effect as if this section were not enacted into law.

Sec. 5. Any person who operates a passenger car or a commercial motor vehicle or truck-tractor upon the public highways of this State any time during any month of a motor vehicle registration year without having displayed thereon and attached thereto two license number plates, one plate at the front and one at the rear, which have been duly and lawfully assigned for said vehicle for the current year, shall be guilty of a misdemeanor; this shall not apply to dealers operating vehicles under present provisions of the law.

Sec. 5-a. Any person who shall directly or indirectly enter into any agreement with a commissioners court of any county in the State of Texas, or any officer or agent of said court or county, that he will register or cause to be registered any motor vehicle, trailer, or semi-trailer, in said county, in consideration of the use by said county of the funds derived from said registration in the purchase of any property of any kind or character, or in consideration of anything or any act to be done or performed by the commissioners court, or any of its agents or officers or any county officer, shall be guilty of a bribery,

and shall be subject to the same penalty as provided by law for the offense of bribery. The registration of each separate vehicle shall constitute a separate offense. The agreement and/or conspiracy to register shall constitute a separate offense. Any person, firm, or corporation who shall make agreements as provided herein, or seek to make such agreements, shall be restrained by injunction by the county or district attorney of the county in which said motor vehicle is registered, or upon application of the Attorney General of the State of Texas.

Sec. 6. Any person who operates a road-tractor, motorcycle, trailer, or semi-trailer upon the public highways of this State any time during any month of a motor vehicle registration year without having attached thereto and displayed on the rear thereof, a license number plate duly and lawfully assigned therefor for the current year shall be guilty of a misdemeanor.

Nothing herein contained shall be construed as changing or repealing any law with reference to any requirement to pay or not to pay a license or registration fee or the amount thereof not expressly enumerated in Sections 1, 2, and 3 hereof.

Sec. 7. Any person operating any motor vehicle, trailer, or semi-trailer upon the highways of this State on and after April 1 of any motor vehicle registration year, with license plate or plates for any preceding year attached or displayed, shall be deemed guilty of a misdemeanor.

Sec. 8. Any person convicted of a misdemeanor for a violation of Section 5, Section 6, or Section 7, of this Act, shall be fined in any sum not exceeding two hundred dollars (\$200).

Sec. 9. The fact that annual motor vehicle registration and license fees are now required to be made each year in January, and that many other taxes, State, county, and city, fall due in that month, thus placing an unduly heavy tax burden on the taxpayers in that month, and the further fact that many owners of motor vehicles were not able this year to pay the annual fees before date of accrual of penalties, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, in order that this Act shall take effect and be in

full force and effect from and after its passage, and said rule is hereby suspended, and it is so enacted.

MORSE,
PATTERSON,
McKEE,
MOFFETT,
POPE,

On the part of the House;

ONEAL,
POAGE,
PURL,
SANDERFORD,

On the part of the Senate.

Mr. Morse moved that the report be adopted.

Mr. Russell moved that further consideration of the report be postponed until tomorrow, and that the report be printed in the Journal.

Question first recurring on the motion by Mr. Russell, it prevailed.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Good:

H. B. No. 26, A bill to be entitled "An Act levying an occupation tax on life insurance companies doing business in this State, based upon gross premiums collected and Texas securities owned, by amending Article 4769, of the Revised Civil Statutes, and all other laws and parts thereof in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mrs. Hughes, Mr. Tennyson, Mr. Harman, and Mr. Hyder:

H. B. No. 27, A bill to be entitled "An Act making an appropriation to pay deficiencies for interest on bonds of the State of Texas, held by Permanent School Fund, Permanent Lunatic Asylum Fund, Permanent Blind Institute Fund, Permanent Deaf and Dumb Institute Fund, and Permanent Orphans Home Fund of the State of Texas, authorizing payment of interest on the taking effect of this Act."

Referred to Committee on Appropriations.

By Mr. Moore and Mr. Morse:

H. B. No. 28, A bill to be entitled "An Act amending Sections 1, 2, 4,

5, 6, 8, 9, and 12, of Chapter 241, Acts of the Regular Session, Forty-third Legislature, page 845, and further amending Chapter 241, Acts Regular Session, Forty-third Legislature, page 843, by adding a new section to said Act, to be designated and styled as Section 17-b, which new section vests and empowers the Commissioner of Labor with the power to promulgate all necessary rules; etc."

Referred to Committee on State Affairs.

By Mr. Good and Mr. Coombes:

H. B. No. 29, A bill to be entitled "An Act providing that any note, mortgage, deed of trust, or other instrument in writing evidencing any indebtedness shall be assessed for taxes by the holder or owner thereof, and the taxes thereon shall have been paid before any such note or instrument in writing shall be admissible in evidence for any purpose; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Jones of Atascosa, Mr. Fuchs, Mr. McGregor, Mr. Holekamp, Mr. Puryear, Mr. Mitcham, Mr. Bourne, Mr. Glass, Mr. Hartzog, Mr. Winningham, Mr. Rogers of Hunt, Mr. Shannon, Mr. Thomas, Mr. Engelhard, Mr. Alsup, Mr. Hyder, Mr. Good, Mr. Cathey, Mr. Dunagan, Mr. Russell, Mr. Baker, Mr. Alexander, Mr. Canon, Mr. Graves, Mr. Barron, Mr. Adamson, Mr. Mathis, Mr. Celaya, Mr. Shults, Mr. Lindsey, Mr. Mackay, Mr. Morse, Mr. Patterson, Mr. Stovall, Mr. Long, Mr. Reed of Bowie, Mr. Hicks, Mr. Pavlica, Mr. Metcalfe, Mr. Fain, Mr. Hoskins, Mr. Merritt, Mr. Kyle of Palo Pinto, Mr. Parkhouse, Mr. Latham, Mr. Jones of Shelby, Mr. Tarwater, Mr. Fisher, Mr. Weinert, Mr. Smith, Mr. Huddleston, Mr. McCullough, Mr. Palmer, Mr. Colson, Mr. Harris, Mr. Atchison, Mr. Griffith, and Mr. James:

H. B. No. 30, A bill to be entitled "An Act providing that any note, mortgage, deed of trust, or other instrument in writing evidencing any indebtedness hereafter executed, payable more than one year after the date of its execution, and drawing 5 per cent, or more, interest per annum, and secured in whole or in part by any lien upon any real estate in this State, shall be assessed for taxes by the holder or owner thereof; etc."

Referred to Committee on Revenue and Taxation.

By Mr. Harman:

H. B. No. 31, A bill to be entitled "An Act amending Chapter 90, Acts of the First Called Session of the Forty-third Legislature, 1933, by adding to Section 1, thereof, a new subdivision defining the term 'Counterfeit Stamp,' as used in said Act; and further amending said chapter by amending Section 11, thereof, redefining the offense prohibited therein, and prescribing the penalty for a violation thereof; and further amending said chapter by adding new sections thereto; etc."

Referred to Committee on Revenue and Taxation.

By Mr. Pope:

H. B. No. 32, A bill to be entitled "An Act to amend Section 6-a, of Section 27, of the General Laws of the Forty-third Legislature, First Called Session, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof, in the transportation of his poultry, dairy, livestock, and farm products, grown or produced by him, to market or to other points for sale or processing, and for the transportation of laborers and supplies, without charge, by the owner of such commercial motor vehicle, from places of purchase to his own farm or ranch for his exclusive use; etc."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tennyson, Mrs. Hughes, Mr. Hyder, and Mr. Harman:

H. B. No. 33, A bill to be entitled "An Act authorizing the Governor to refund the principal of outstanding State of Texas bonds held by the

State Permanent School Fund, and other educational and eleemosynary institutions' permanent funds; authorizing and directing the Governor to exchange said refunding bonds for the principal of outstanding State of Texas bonds; making an appropriation to pay the expense of such refunding, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Greathouse:

H. B. No. 34, A bill to be entitled "An Act granting permission to Mrs. Ola Anderson and Oran Anderson, surviving wife and son of Henry A. Anderson, deceased, to bring suit against the State of Texas in the District Court of Denton County, Texas, for damages for personal injuries resulting in death received by the said Henry A. Anderson while on duty as a laborer in the employ of the North Texas State Teachers College, at Denton, Texas; etc."

Referred to Committee on State Affairs.

RECESS

On motion of Mr. Laird, the House, at 5:05 o'clock p. m., took recess to 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports as follows:

Judiciary: House Bill No. 9.

State Affairs: House Concurrent Resolution Nos. 14 and 16.

In Memory of Hon. James Callan

Mr. Stevenson offered the following resolution:

Whereas, Since the First Called Session of the Forty-third Legislature adjourned, Hon. James Callan departed this life on January 23, 1934, at his home in Menard, Texas; and

Whereas, He had lived a long and useful life in the State of Texas, having been born in Coleman County, in 1863, on what was then the frontier of civilization. In his early youth he moved to Menard County, where he continued to reside for the greater part of his life; and

Whereas, During all of this time he rendered outstanding service to his State and community, and became one of the State's most widely known citizens, serving the County of Menard as a public official for many years, and his legislative district as a Member of the Twenty-fifth Legislature; and

Whereas, He was recognized by his associates in the great live stock industry for his loyalty and devotion to the interest of the ranchmen by being elected President of the Cattle Raisers' Association of Texas in the year 1909, re-elected in 1910, and after service in many other capacities, was again called to the presidency of this great organization in the year 1916, re-elected in 1917, and re-elected for the fifth time in 1918, thus serving one of the greatest industries in Texas during the trying period of the World War; and in all of which capacities, he distinguished himself by the zeal and ability with which he discharged the duties of his responsible position; and

Whereas, Throughout his lifetime he was renowned for his forcefulness and eloquence as a public speaker and noted for his bold and courageous discussion of all public questions; his addresses being characterized by sound premises, by logical reasoning, and by mental and moral honesty of purpose; and

Whereas, The conspicuous services rendered by the Hon. James Callan to the State of Texas, to his community, and to his fellow citizens for more than fifty years render it particularly fitting that suitable recognition be given to the achievements of his forceful and energetic life; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, That we deplore the untimely loss of the Hon. James Callan, and express our sincere regrets to the members of his family, and that when the House adjourns today, it do so in honor of his memory, and that a page of the Journal be set apart for the enrollment of this resolution, and that a copy of the resolution be furnished to the members of his family.

The resolution was read second time.

On motion of Mr. Savage, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill, Hodges, Holkamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winingham, Wood, Young.

The resolution was adopted unanimously.